

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION**

**JOSEPH TAYLOR**

**PLAINTIFF**

**v.**

**No. 4:06CV81-GHD-DAS**

**SUE RADINGER, NURSE**

**DEFENDANT**

**ORDER**

Before the court is the plaintiff's motion for permission to conduct depositions by written questions (# 115). The plaintiff has filed his motion pursuant to FED. R. CIV. P. 31 and seeks to obtain the deposition testimony of non-party correctional officers. The defendant essentially responds that the evidence sought by the plaintiff will not be admissible at trial. However, the defendant overlooks the correct discovery standard, as a request for relevant information need only be "reasonably calculated to lead to the discovery of admissible evidence." *See* FED. R. CIV. P. 26(b)(1). Nonetheless, the court finds the motion should be denied because the period allowed for discovery and the motions deadline have long expired, and the plaintiff has not shown good cause for an extension.

**THEREFORE, IT IS ORDERED** that the plaintiff's motion for permission to submit written deposition questions to witnesses is hereby **DENIED**.

This, the 18<sup>TH</sup> day of November, 2010.

/s/ David A. Sanders  
UNITED STATES MAGISTRATE JUDGE